

PATENT**REMARKS**

Reconsideration of the rejections set forth in the Office action dated 4/15/2004 is respectfully requested under the provisions of 37 CFR §1.114.

Claims 1-8 are pending.

Claims 1-8 stand rejected.

Claims 9-16 have been withdrawn.

Claim 1 was amended to include the limitation agreed to by the Examiner and Mr. Curtis in the telephonic interview discussed below.

I. Interview Summary

First, the applicant would like to thank Examiner Kim for the telephone interview of May 6, 2004 that included Mr. Curtis and Examiner Kim. In that interview, we discussed aspects of the invention shown in Fig. 3, claim 1, and aspects of Mowry Jr. Fig. 7. Applicant pointed out that the occlusion areas in the tiles were at the same location and the same shape in each tile; that the predefined code area for each tile had the same code pattern, and that information included within the occlusion areas could be different, but, as previously mentioned, the occlusion areas were in the same location in each tile.

Examiner Kim agreed that if claim 1 was amended to more explicitly indicate that the occlusion areas in the tile were in the same location and had the same shape in each tile that an amended claim would overcome the Mowry Jr. reference but that further search and consideration would be needed to advance the application to issuance. Agreement was not reached as to allowability of the application.

PATENT***II. Double Patenting***

Application 09/737,869 is commonly owned with the instant application. Applicant will consider filing a terminal disclaimer for the instant application when the claims of the respective applications are determined.

III. Rejections under 35 USC §103(a)

Claims 1–8 stand rejected under 35 USC §103(a) as being unpatentable over the combination of Hecht et al and Mowry.

A. The Invention

One aspect of the invention is directed to periodic tiles on a substrate where each tile has a predefined code area having a code pattern common to the other tiles; and a predefined occlusion area not necessary for decoding the code pattern. Where the predefined occlusion area has the same location and shape in the periodic tiles.

As discussed in the aforementioned telephone interview, applicant believes the currently amended **claim 1** is patentable over the combination of Hecht and Mowry.

Claims 2–8 depend on and further limit claim 1 and so are also patentable.

In addition with respect to claims 3, 4, 5, and 6, applicant believes that the Examiner's rational is no longer applicable based on the Examiner's current understanding and on currently amended claim 1.

Since all rejections, objections and requirements contained in the outstanding official action have been fully answered or traversed and shown to be inapplicable to the present claims, it is respectfully submitted that reconsideration is now in order under the provisions of 37 CFR §1.114 and such reconsideration is respectfully requested. Upon reconsideration, it is also respectfully submitted that this application is in condition for allowance and such action is therefore respectfully requested.

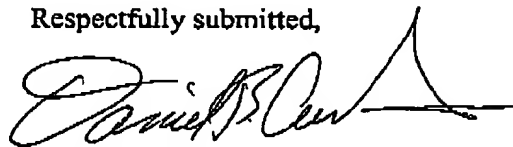
No additional fee is believed to be required for this amendment. However, the undersigned Xerox authorized attorney hereby authorizes the charging of any necessary

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fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025. This also constitutes a request for any needed extension of time and authorization to charge all fees therefor to Xerox Corporation Deposit Account No. 24-0025.

Should any additional issues remain, or if I can be of any additional assistance, please do not hesitate to contact me at (650) 812-4259.

Respectfully submitted,



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